REMARKS

Applicant traverses all of the rejections in the Office Action and respectfully request reconsideration and passage of the claims to allowance for the following reasons. Claims 1 and 3-21 are currently pending and are rejected.

Claims 1 and 3-21 patentable over Goldszmidt/Ohran under §103

Claims 1 and 3-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,195,680 to Goldszmidt et al. ("Goldszmidt") in view of U.S. Patent No. 5,812,748 to Ohran et al. ("Ohran"). In addition, extensive reference was made in the rejections to U.S. Patent No. 5,918,017 to Attanasio et al. ("Attanasio"), which Goldszmidt incorporated by reference. Applicant respectfully traverses the rejection.

Regarding Applicant's arguments of September 17, 2007, the Examiner cited (on p. 2-3 of Office Action) Goldszmidt's Figs. 1-3 as teaching a server that performs concurrent processing of session-state data of the video session using a distributed managing module associated with the server controller (e.g., 2.1 of Fig. 2 or 3.1 of Fig. 3), with the control server 3.1 redirecting the requested multimedia stream from server 3.6 to server 3.7 in case of a link failure. The Examiner considered the server controller of Fig. 2 or Fig. 3 to be similar to the Applicant's head-end controller (Office Action, p. 3).

Applicant respectfully disagrees with the Examiner's interpretation that Goldszmidt teaches a server that performs <u>concurrent processing of session-state data of one video session</u> using a distributed managing module associated with the server controller.

Instead, as taught by Goldszmidt, the control server acts as a gateway for <u>a number of client requests</u> and <u>redirect these requests between the two sets of streaming servers</u> (e.g., 1.5 and 1.6 in Fig. 1, or 2.6 and 2.7 in Fig. 2; emphasis added) while monitoring the workload of the streaming servers that provide the requested multimedia streams (col. 5, lines 32-41 and col. 8, lines 34-63). "Each instance of the streaming process begins with a client agent 1.8 connecting to the

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control server 1.1 requesting the multimedia stream. The control server then assigns and redirects the client to one of the streaming servers in either of the two groups (1.5, 1.6)" (col. 5, lines 54-58; Fig. 1)

Thus, Goldszmidt only teaches workload distribution among different streaming servers for processing a number of different client requests or connections, with each client request or session being handled by one streaming server.

This is different from Applicants' invention, in which sub-parts of session-state data for one video session (e.g., one client connection) are concurrently processed using a distributed managing module that is associated with a primary and a secondary head-end controllers, with a stream server streaming the video information to the subscriber.

As explained in Applicant's specification, managing modules are programs that execute session-state data (e.g., p. 7, lines 17-18), and session-state data is information that defines the state of the session (e.g., p. 7, lines 20-24).

Contrary to what was stated on page 2 of the Office Action, Goldszmidt simply does not teach or suggest at least the features of "wherein said executing said video session comprises concurrently processing sub-parts of session-state data of said video session using a distributed managing module associated with each of said primary head-end controller and said at least one secondary head-end controller," as provided in Applicant's claim 1.

The sections in Attanasio cited by the Examiner also do not teach or suggest the above features missing in Goldszmidt. Instead, what Attanasio teaches is a primary gateway 1050 and a backup gateway 1030 with respective Managers 320 (Attanasio, Fig. 10; col. 7, line 3 - col. 9, line 8; col. 9, lines 48-60; col. 9, line 66 - col. 10, line 22) in a system that allows file sharing between the two gateways for backup and recovery operations.

Attanasio does not teach or suggest any sub-parts of session-state data for one video session being concurrently processed using a distributed managing module.

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The Examiner also acknowledged that Goldszmidt does not teach dedicating a secondary head-end controller having the same managing module for concurrently processing of the session-state data of the requested video session through a distributed managing module environment, and cited Ohran's Fig. 7, col. 11, line 51 - col. 12, line 6 as allegedly teaching these missing features (p. 3, Office Action).

Applicant submits that Ohran also fails to teach or suggest at least the claimed features of concurrent processing of <u>sub-parts of session-state data of the video session</u> using a distributed managing module associated with each of the primary head-end controller and at least one secondary head-end controller, or dedicating a secondary head-end controller with the managing module.

Ohran is generally directed to a <u>backup</u> system in which two computer systems each runs a mass storage emulator that allows one system to access the mass storage device on the other system, and thus, acts as a backup for each other (Ohran, Abstract; col. 11, line 51 - col. 12, line 6; Fig. 7). In other words, when one computer system fails, the other system can still access an identical copy of the data on the non-functioning computer's mass storage device without delay.

But emulating a mass storage device on a backup computer is far different from concurrently processing sub-parts of session-state data of a video session. In Applicant's invention, the concurrent processing of session-state data in the video session allows data associated with the session to be processed faster than without concurrent processing.

Ohran teaches something entirely different — it provides two mass storage devices that are mirrors of each other, i.e. the same data is stored in each device, e.g., col. 12, lines 20-22. Therefore, even if Ohran is broadly interpreted, Ohran at best teaches the ability to retrieve identical copies of data from two different computers when both are operational. There is nothing that suggests any concurrent processing of sub-parts of data associated with one session request.

As such, Ohran fails to teach or suggest at least the following features in claim 1:

> "dedicating, at said head-end, at least one secondary head-end controller respectively having said at least one managing module as a resource for executing said video session, wherein said executing said

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video session comprises concurrently processing sub-parts of session-state data of said video session using a distributed managing module associated with each of said primary head-end controller and said at least one secondary head-end controller".

Even though Ohran teaches that "when neither file server is down, the users enjoy the benefits of fully utilizing the resources of their redundant file server capability," (col. 12, lines 1-3), this general statement simply does not teach or suggest any specifics relating to concurrently process session-state data for one video session.

In summary, Ohran's computer backup system with duplicate mass storage devices simply would not have suggested a method that includes concurrent processing of session-state data in the specific manner provided in Applicant's invention.

Since the combination of Goldszmidt and Ohran fails to teach or suggest all the elements in claim 1, Applicant submits that claim 1 is patentable over Goldszmidt in view of Ohran.

Claims 3-10 depend directly or indirectly from claim 1, and thus, inherit the patentable subject matter of claim 1, while adding additional elements and further defining elements. Therefore, claims 3-10 are also patentable over the combination of Goldszmidt and Ohran under §103 for at least the reasons given above with respect to claim 1.

Claim 11 recites, in part: "wherein at least one of said managing modules is a distributed managing module and processes sub-parts of said session-state data of said video session using at least two of said plurality of head-end controllers". For at least the same reasons given with respect to claim 1, claim 11 is also patentable over the combination of Goldszmidt and Ohran under §103.

Claims 12-21 depend directly or indirectly from claim 11, and thus, inherit the patentable subject matter of claim 11, while adding additional elements and further defining elements. Therefore, claims 12-21 are also patentable over the combination of Goldszmidt and Ohran under §103 for at least the reasons given above with respect to claim 11.

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CONCLUSION

For the foregoing reasons, Applicant respectfully requests reconsideration and passage of the claims to allowance. If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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